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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 7669 OF 2007**

Vishwanath P. Rastogi ... Petitioner

V/s

The Times of India ... Respondent

Mr. Mokashi with Mrs. S.P.Mokashi for the petitioner.

**CORAM: SMT. NISHITA MHATRE, J.**

**DATED: 16TH OCTOBER, 2007.**

**P.C.**:

1. This petition challenges the award of the Labour Court dated 13.10.2006. According to the petitioner, in the year 1994-95 he was suffering from depression and was being treated by a doctor. He applied for voluntary retirement under a scheme which was then in force in the respondent Company. According to the petitioner, his applications were not replied by the Company. When he sought an explanation, he was induced into signing a resignation letter which was typed in the Company at the behest of the Director - Personnel. The Labour Court has held that the resignation was voluntarily submitted by the petitioner and that it has been accepted by the

respondent Company. Payments had been made after the resignation was accepted. All the legal dues including provident fund, gratuity, etc. have been paid to the petitioner in 1995 itself. The Labour Court has found that the petitioner first raised a demand in 1996 complaining that his services had been wrongly terminated by the respondent Company. Ultimately, a reference for adjudication of the dispute was made in the year 1998. For all these reasons the Labour Court has rejected the reference.

2. In my view, there is no need to interfere with the findings recorded by the Labour Court. There is no perversity in the order of the Labour Court.

3. Petition rejected.

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